



Brandon McGivern [REDACTED]

Re: 6122 N Winthrop: Property Access, Pre-move-out Inspection, and Vacancy Enforcement - Final Notice

1 message

Brandon McGivern [REDACTED]

Wed, Apr 30, 2025 at 8:00 PM

To: Mason Cole <mcole@colesadkin.com>, Kyle Hadley [REDACTED]

Dear Mr. Cole and Mr. Hadley,

This letter serves as formal documentation that the April 30, 2025 deadline I established for response to my April 23rd communication has passed without any acknowledgment or substantive reply from either of you. This continues a documented pattern of non-responsiveness dating back to August 2024, including:

1. Failure to retrieve certified mail sent February 15, 2025 (USPS tracking #9214890142980413704855), although the second certified letter was eventually retrieved
2. Delayed or non-existent responses to multiple documented communications
3. Refusal to provide property access to me as the legal owner
4. Non-compliance with basic legal obligations under the Chicago Residential Landlord and Tenant Ordinance

Due to this consistent pattern of disregarding deadlines and failing to engage in good-faith communication, I am now proceeding with the following actions without further opportunity for negotiation:

1. I will conduct the pre-move-out inspection on **Saturday, May 10, 2025 at 3:00 PM**, accompanied by witnesses who will document the property's condition, including all furnishings that remain my property. I will arrive at the scheduled time and expect cooperation with this legally permitted inspection. If access is denied, I will immediately proceed with the legal remedies described below.
2. If access is denied on May 10: a. I will immediately request police assistance for a civil standby with appropriate documentation b. Document the denial of access for use in subsequent legal proceedings c. File an emergency motion for access with the Circuit Court of Cook County
3. I have instructed my attorney to prepare a **Forcible Entry and Detainer action to be filed with the Circuit Court of Cook County on May 18, 2025, should the property not be vacated by May 17, 2025. This action will include: a. Damages for holdover tenancy at the rate of \$166.67 per day (double the daily market rental value based on comparable properties in the area) from May 18, 2025 until possession is surrendered b. Recovery of all legal costs and fees associated with this action c. Damages for unauthorized withholding of property access**
4. I am submitting formal complaints regarding Mr. Hadley's professional conduct as a licensed real estate agent to the Illinois Department of Financial and Professional Regulation (IDFPR), the Illinois Association of REALTORS®, the National Association of REALTORS®, and his local real estate board, including documentation of all communications that demonstrate violation of professional standards and ethics.

Regarding May rent, please note that only the prorated amount of \$1,141.94 is due for the period of May 1-17, 2025. Payment of any other amount will be handled as described in my previous communications and does not modify the vacancy date.

Be advised that the May 17, 2025 vacancy date established through proper notice under Section 5-12-130(j) of the Chicago Residential Landlord and Tenant Ordinance is a legal requirement that has now been finalized. Mr. Hadley's written statement from April 22nd indicating: "I will vacate the property by 7/31, only after my money is returned to me" constitutes an explicit admission of intent to violate Illinois law regarding properly noticed tenancy termination.

Regarding financial matters: Mr. Hadley's investments in the property will be addressed only after:

1. Peaceful surrender of possession of the property
2. Assessment of damages to property and furnishings
3. Calculation of fair market rental value differentials
4. Accounting for unauthorized disposal of my property

Nothing in this letter should be construed as waiving any rights or remedies available to me under applicable law, nor does it constitute an invitation for further negotiation on the vacancy date or inspection schedule. All previous communications are incorporated by

FILED DATE: 6/2/2025 4:02 PM 20251707919

reference.

Sincerely,

Brandon McGivern
Owner, 6122 N Winthrop Ave Unit C
Chicago, IL 60660

[REDACTED]

Brandon McGivern
Web Developer / Graphic Designer

[REDACTED]